

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
OCTOBER 17, 1956

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock of Wednesday, October 17, 1956; Councilmen Fuller, Hughes, Katzakian, Robinson and Mitchell (Mayor) present; none absent. City Manager Weller and City Attorney Mullen also present.

Minutes of the meeting of September 5, 1956 were approved as written and mailed.

PUBLIC HEARINGS

ABANDONMENT OF
UNNAMED RIGHT OF
WAY BETW. LOUIE
AVE & TURNER RD.

ORD. NO. 572
INTRODUCED

Mayor Mitchell called for discussion on the proposed abandonment of the unnamed right of way lying between Louie Avenue and Turner Road along the western border of Burr's Addition. City Attorney Mullen explained that there were several parties who had been granted private right of access along the western border of Burr's Addition. The public had never been deeded the property for public right of way; however, it had been used by the public for several years and on at least one occasion the City had performed certain maintenance work on this Street. The City Attorney therefore concluded that there was a public interest in the street and that before the public right of way question could be settled the City should abandon its interest. He emphasized that the abandonment of the street as a public right of way by the City would not in any way affect the private interest in the right of way. Mr. Louie Hanna, 1201 Louie Avenue, addressed the Council to state that the use of that right of way was necessary for him to get in and out of his property. Ordinance No. 572 declaring the abandonment of said strip of right of way as a public street or road was introduced on the motion of Councilman Hughes, Robinson second.

REMOVAL OF GRADE
SEPARATIONS AT
LOCKEFORD STREET
& LODI AVE. CROSS-
ING

Mayor Mitchell then announced that this meeting had been set as the time for public hearing on the proposal to amend the Master Plan by the removal of the proposed grade separations at the Lockeford Street and Lodi Avenue crossings of the Southern Pacific main line right of way. Councilman Katzakian stated that he had a personal interest in the property which would be affected by the removal from or retention in the Master Plan of these grade separations. He then stated that he wished to abstain from the discussion and voting on this question. Mr. Weller explained that the amendment of the Master Plan had been suggested by the City Planning Commission on the basis of their finding that grade separations at these two points would not be of sufficient value to warrant the expenditure of necessary funds for their development. Mr. Ben Schaffer, 600 S. Lee Avenue addressed the Council to speak in favor of the proposed amendment to the Master Plan. He explained that the Post Office Department had obtained an option to buy property at the corner of School and Lockeford streets. The option was subject to the elimination of the grade separations from the

Master Plan and achievement of the necessary C-2 zoning. He stated that it was his opinion that four underpasses in the City of Lodi would be unnecessary. Mr. Walter Bellon, 13 W. Sunset Drive, stated that he favored the elimination of the Lockeford Street grade separation from the Master Plan. Mr. Howard Costa, 301 N. Crescent Avenue, stated he felt that both the Lodi Avenue and Lockeford Street grade separations should be retained on the Master Plan. He did not believe that the Turner Road and Kettleman Lane underpasses had any bearing on the question of Lockeford Street and Lodi Avenue underpasses. He said that the downtown traffic would warrant grade separations at these two points. Mr. Charles Boynton, 1424 Holly Drive, stated that from a City of Lodi taxpayer's standpoint the Lockeford and Lodi Avenue grade separations would be quite expensive, particularly since the grade separation at Turner Road would receive County participation and the grade separation at Kettleman Lane would be provided by the State. Councilman Fuller stated that while he recognized the need for flexibility of the Master Plan, he felt it should not be flexible to the extent that it would be altered to make the sale of a parcel of land possible. He stated the cost of service to the public must be weighed with the service rendered. He felt that grade separations at Turner Road and Kettleman Lane would provide protection for traffic passing through the City, but that the City of Lodi would need grade separations closer to the downtown area. Councilman Robinson disagreed with the statement of Councilman Fuller and said that he felt grade separations at Lodi Avenue and Lockeford Street would be impossible because of their high cost. He stated that he had felt these grade separations were unnecessary at the time the Master Plan was adopted. He added that future indicated grade separations were necessary at these points could be returned to the Master Plan. Mr. Tom Doyle, 333 S. Fairmont Avenue, stated that he did not believe the Southern Pacific would ever agree to a grade separation at Lockeford Street. He felt, as an engineer, that the cost would be prohibitive. Councilman Robinson then moved, Mitchell second, the adoption of Resolution No. 1976, Amending the Master Plan to Remove the Grade Separations at Lodi Avenue and Lockeford Street. The motion was passed by the following vote:

AYES: Councilmen - Robinson, Hughes, and Mitchell

NOES: Councilmen - Fuller

ABSTAIN: Councilmen - Katzakian

RES. NO. 1976
ADOPTED

REZONING OF NE
CORNER OF SCHOOL
& LOCKEFORD STS.

Mayor Mitchell then called for protests to the proposed rezoning of the property at the northeast corner of School and Lockeford Streets. It has been proposed that this property be rezoned from R-4 to C-2. Mr. Ben Schaffer addressed the City Council to state that the rezoning of this property was one of the conditions that the Post Office Department had

ORD. NO. 573
INTRODUCED

placed on the purchase of this property for the Post Office annex. He pointed out that the property adjoins industrially zoned property on the east. No objections were presented. Ordinance No. 573, approving the rezoning of this property from R-4 to C-2 was introduced on the motion of Councilman Fuller, Robinson second by the following vote:

AYES: Councilmen - Fuller, Hughes, Robinson and Mitchell

NOES: Councilmen - None

ABSTAIN: Councilmen - Katzakian

REZONING OF FAIRMONT SOUTH OF SUNSET MARKET

Mayor Mitchell then called for discussion of the proposed rezoning from R-1 to R-4 of property on the west side of South Fairmont, South of the Sunset Market and north of the City limit line. Mr. Tom Doyle spoke in favor of the zoning, explaining that his property is already devoted to multiple family residence. He felt that it should carry the proper zoning. Ordinance No. 574, approving the rezoning of the above property was introduced on the motion of Councilman Fuller, Hughes second.

ORD. NO. 574
INTRODUCED

SWIMMING POOL

Mayor Mitchell then asked permission to discuss the architect's agreement for the swimming pool plans at this point of the Agenda. After the Mayor secured agreement from the Council, he called on Mr. Mullen to explain the provisions of the proposed agreement. Mr. Mullen explained the provisions and recommended its approval. Resolution No. 1975, authorizing the Mayor to execute the agreement with the architect firm of Ernst and Lloyd for the preparation of plans for a swimming pool, was adopted on the motion of Councilman Fuller, Hughes second.

RES. NO. 1975
ADOPTED

CITY PLANNING COMMISSION

PLANNING DIRECTOR

Mr. Weller read a recommendation from the City Planning Commission regarding the hiring of a person to assist the Planning Commission in the study of the Civic Center. Mr. Weller stated that he hoped to have something to report to the City Council regarding the hiring of a Planning Director and he asked that action be delayed until such time that he could make a report.

COMMUNICATIONS

JUVENILE OFFICERS ASSOC. MEETING

The City Manager reminded the Council of the letter from Juvenile Officer Russell French inviting the City Council to attend the meeting of the Northern California and Central Valley Juvenile Officers Association to be held at the Hotel Lodi, Tuesday, November 13, 1956.

PURCHASE OF INACTIVE PUMPER

Mr. Weller read a letter from the Lodi Fire Fighters Association Local No. 1225 asking that the Association be allowed to purchase the old inactive pumper (1924 Seagrave) for a small fee. According to the Association, if purchased, the equipment would be kept in functioning order and be used in parades and other gatherings.

ABC LICENSE Application for transfer of Alcoholic Beverage License for on-sale general to Elmo E. Jenner and Henry R. Jenner, Highway 99, 5 miles south of Lodi.

DOOR TO DOOR SOLICITORS Letter from Mrs. Thomas Carey, 1419 W. Elm Street, stating that salesmen going from door to door had proved a nuisance and asked that the City Council do what it could to protect the home owners from solicitors. She asked, further, if the City Council could not influence the Post Office Department to prevent the mailing of advertisements to all residents. The letter was referred to City Attorney Kullen for reply.

EXCHANGE OF PROPERTY WITH GENERAL MILLS The City Attorney reminded the City Council of the negotiations with General Mills for exchange of property at the corner of Turner Road and Mills Avenue. He stated that the City had received a deed for the necessary property from General Mills and recommended that the City Council approve the necessary deed from the City of Lodi to General Mills. Resolution No. 1977, authorizing the Mayor to execute said deed to General Mills, Incorporated, was adopted on the motion of Councilman Fuller, Katzakian second.

RES. NO. 1977 ADOPTED

REPORTS OF THE CITY MANAGER

AMENDMENT OF ELECTRIC CODE Mr. Weller reported that he had received a recommendation from the Electrical Inspector for the amendment of the Electric Code. The Electrical Inspector recommends an amendment to provide for sufficient wiring to take care of increased loads required by changes in the manufacture of kitchen appliances. He reported that this provision had been recommended for adoption by the International Association of Electrical Inspectors. Ordinance No. 575, amending the electric code as recommended, was introduced on the motion of Councilman Katzakian, Fuller second.

ORD. NO. 575 INTRODUCED

ABANDONMENT OF THREE EASEMENTS ZION REFORMED CHURCH Mr. Weller then presented a recommendation for the abandonment of three easements in property owned by the Zion Reformed Church. He explained that these easements had never been used and there is no possibility of their future use since the original plans for development of this area have been revised due to the new high school and other developments in the vicinity. New easements properly located have already been secured from the Church. The Council then ordered the abandonment of the three easements in the Zion Reformed Church property on the motion of Councilman Katzakian, Hughes second.

COUNTY COURT HOUSE BONDS Mr. Weller reported that he had been contacted by Mr. C.H. Evanhoe of Stockton, regarding the possibility of Mr. Evanhoe appearing before the City Council to discuss the County Court House bonds. Councilman Robinson stated that the Council had supported the Court House bonds on a previous occasion and he felt that they should go on record in favor of it at this

time. He then moved, Hughes second, that the City Council endorse the County Court House bonds at the November 6th election. Mr. Weller reported that Mr. Evanhoe is not opposed to the Court House site, but he objects to the size of the site. The motion before the Council was then passed by unanimous vote.

WIDENING OF
LODI AVENUE

The City Manager reported that progress was being made on securing a right of way for the widening of Lodi Avenue between School Street and Southern Pacific right of way. The right of way had been secured from all the property owners except Mrs. Nellie Langford and the Signal Oil Company. Letters had been received from the Signal Oil Company agreeing to deed to the City a five-foot six-inch strip provided that the City pay the cost of relocating its improvements and equipment estimated to be \$1,075.00, and also provided that the City of Lodi install at its own expense all sidewalks,

WIDENING OF S.
SCHOOL ST. S.
OF Lodi AVE.

curbs, gutters and driveways. He also reported that the City Engineer feels there is no time to undertake the widening before the rainy season starts. He therefore raised the question of the widening of South School Street in the half block south of Lodi Avenue. The City Engineer reports that this widening would require the removal of four large maple trees and five small palm trees on the east side of School Street and two large olive trees and one small walnut tree on the west side. Councilman Robinson stated he felt the widening on School Street should be undertaken at the same time as the widening on Lodi Avenue. Councilman Katzakian questioned the advisability of widening South School Street. He proposed that the Curbs be painted to prevent parking at the Lodi Avenue intersection. The matter was referred to the City Engineer for further study and investigation.

ANIMAL SHELTER
PLANS

Mr. Weller reported that progress was being made in the development of the animal shelter plans. Changes made to the present time had reduced the cost to an estimated \$23,000. This total still includes a destruction chamber and incinerator. The Council agreed that the Engineer should proceed with the plans as proposed.

CLAIMS

Claims in the amount of \$284,371.47 were approved on the motion of Councilman Robinson, Katzakian second.

PALLESEN
REZONING

ORDINANCE NO. 569, ENTITLED "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING LOTS 85 AND 86 OF HUTCHINS HOMESTEAD ADDITION NO. 3 TO BE IN THE R-3 RESIDENTIAL DISTRICT," having been introduced at the September 19, 1950 meeting, was brought up for passage on the motion of Councilman Katzakian, Fuller second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote;

ORD. NO. 569
ADOPTED

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson, and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 569 was then signed by Mayor Mitchell in approval thereof.

ANNEXATION
HOUSTON ADD.

ORD. NO. 570
ADOPTED

ORDINANCE NO. 570, ENTITLED "ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY DESIGNATED 'HOUSTON ADDITION' TO THE CITY OF LODI, AND CLASSIFYING SAID PROPERTY IN THE M-1 INDUSTRIAL ZONE," having been introduced at the October 3, 1956 meeting, was brought up for passage on the motion of Councilman Hughes, Fuller second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - Fuller, Hughes, Katzakian, Robinson, and Mitchell

NOES: Councilmen - None

ABSENT: Councilmen - None

Ordinance No. 570 was then signed by Mayor Mitchell in approval thereof.

S. HUTCHINS ST.
SPEED LIMIT ORD.
NO. 571 DEFERRED

Adoption of Ordinance No. 571, reducing the speed limit on South Hutchins Street was postponed and referred to the Chief of Police for report and recommendation.

SCHOOL SIGNALS ON
HUTCHINS AT
TAMARACK

Mayor Mitchell reported that he and the City Manager had witnessed the demonstration of a school zone signal with flashing lights. They felt that this signal would be successful in heavily used intersections. Mayor Mitchell stated that he was not convinced that the installation of this large type signal would be necessary at all school crossings. Councilman Hughes moved, Katzakian second, that the large type flashing signal be installed on South Hutchins street, north and south of the Tamarack intersection and such installation be made on a trial basis. The motion was passed by unanimous vote.

APPOINTMENTS TO
BOARD OF PLUMBING
EXAMINERS

Mr. Weller reported that he had received a report from Mr. Dutschke, Plumbing Inspector, stating that he had received resignations from the former Board of Plumbing Examiners. He reported that he had discussed reappointments to the Board with the master plumbers of Lodi, and they had recommended four individuals for appointment to the Board. On the motion of Councilman Katzakian, Fuller second, the Council voted to appoint the following men to the Board of Plumbing Examiners: C.J. Dietz, Kenneth Rust, E.L. Lauber, and Elmer Streyle.

The meeting was adjourned at 10 o'clock p.m. on the order of the Mayor.

Henry A. Glavin, Jr.
ATTEST: HENRY A. GLAVIN, JR.
City Clerk